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## F A X C O V E R

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Date: April 27, 2005 Number of pages (Including cover): 6

To: Ex. Rosenberger, U.S. Patent and Trademark Office

Fax No.: (703) 872-9306

Serial No.: 09/556280

Title: PORTABLE AUTHENTICATION DEVICE AND METHOD...

From: Neil P. Ferraro

Direct dial: 617.646.8267

Our File #: L0532.70010US00

### CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being transmitted via facsimile to the attention of Examiner Rosenberger, FAX number (703) 872-9306, at the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, in accordance with 37 C.F.R. §1.6(d), on the \_\_\_\_\_ day of April, 2005.

Rita A. LeBlanc

ORIGINAL DOCUMENTS WILL NOT BE MAILED.

MESSAGE: Transmitted herewith is/are Information Disclosure Statement and FORM 1449.

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Wolf Greenfield Fax Number: 617.646.8646

Wolf, Greenfield & Sacks, P.C. | 600 Atlantic Avenue | Boston, Massachusetts 02210-2206  
617.646.8000 | fax 617.646.8646 | www.wolfgreenfield.com

PATENTS TRADEMARKS COPYRIGHTS TECHNOLOGY TRANSFERS LITIGATION

DOCKET NO: L00532/70010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Henry F. McInerney, et al.  
Serial No: 09/556,280  
Confirmation No: 7997  
Filed: April 24, 2000  
For: PORTABLE AUTHENTICATION DEVICE AND METHOD OF  
AUTHENTICATING PRODUCTS OR PRODUCT PACKAGING  
Examiner: Rosenberger, Richard A.  
Art Unit: 2877

**CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §1.8(a)**

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\_\_\_\_\_  
Rita A. LeBlanc

**MAIL STOP AMENDMENT**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- Information Disclosure Statement with PTO Form 1449.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

Please charge the fee of \$180.00 for the Information Disclosure Statement and/or any deficiencies to Deposit Account No. 23/2825.

Respectfully submitted,  
*McInerney et al., Applicant*

By: \_\_\_\_\_

Neil P. Ferraro, Reg. No. 39,188  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
Telephone: (617) 646-8000

Date: April 27, 2005  
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\_\_\_\_\_  
Rita A. LeBlanc

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application. The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

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Serial No.: 09/556280  
Conf. No.: 7997

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Art Unit: 2877

**PART II: Information Cited**

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

**PART III Remarks**

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Serial No.: 09/556280  
Conf. No.: 7997

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Art Unit: 2877

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,  
*McInerney et al., Applicant*

By:



Neil P. Ferraro, Reg. No. 39,188  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
Telephone: (617) 646-8000

Docket No.: L0532.70010US00  
Date: April 27 2005  
xNDDx

<b>FORM PTO-1449/A and B (Modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				APPLICATION NO.: 09/556280		ATTY. DOCKET NO.: L0532.70010US00	
				FILING DATE: April 24, 2000		CONFIRMATION NO.: 7997	
				APPLICANT: McInerney et al.			
				GROUP ART UNIT: 2877		EXAMINER: Richard A. Rosenberger	
Sheet	1	of	1				

## U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	1	5,895,073		Moore	04-20-1999
	2	5,592,561		Moore	01-07-1997
	3	5,917,925		Moore	06-29-1999
	4	6,005,960		Moore	12-21-1999
	5	6,246,778		Moore	06-12-2001
	6	6,456,729		Moore	09-24-2002
	7	2003/0023557		Moore	01-30-2003

## FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			

## OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to Applicant.

a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_, filed \_\_, and relied upon for an earlier  
filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).